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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-sixth session

Summary record of the 1473rd meeting
Held at the Palais des Nations, Geneva, on Tuesday, 14 February 2017, at 3 p.m.

Chair: Ms. Leinarte

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Eighth periodic report of Ukraine (continued) (CEDAW/C/UKR/8; CEDAW/C/UKR/Q/8 and Add.1)

Articles 7 to 9 (continued)

1. *At the invitation of the Chair, the delegation of Ukraine took places at the Committee table.*

2. **Ms. Martina** (Ukraine) said that there were currently four women ambassadors and five women consuls general. The number of women employed at every level of the Ministry of Foreign Affairs had increased steadily over the past 20 years and, until recently, two of the four deputy ministers for foreign affairs had been women.

3. **Ms. Bohdanova** (Ukraine) said that efforts were being made to encourage highly trained professional women to enter politics, to raise the profile of women in political life and to encourage party leaders to include more women on their lists of candidates. Efforts were also being made to increase the representation of women in the civil service, particularly in more senior positions. Since 2013, the share of women who held senior-level posts had increased significantly, and, in accordance with the Sustainable Development Goals, steps were being taken to increase women's representation even further.

4. Women made up the majority of the more than 1.6 million internally displaced persons currently registered in the areas of Ukraine controlled by the Government. A considerable level of State funding had been allocated to address housing issues and other difficulties experienced by such internally displaced persons.

Articles 10 to 14

5. **Ms. Malakhova** (Ukraine) said that efforts were being made to ensure that all children in Ukraine finished primary and secondary school, including those from Roma communities. Schools were obliged to offer a place to all children who were legally registered in their catchment areas. Children who, for whatever reason, were unable to enrol in the area where they were registered were allocated a place elsewhere.

6. **Ms. Gbedemah** said that she welcomed the fact that the literacy rate in Ukraine was extremely high for both men and women. She was concerned, however, about the lack of a standard curriculum that included courses on gender, as such courses could be used to change entrenched patriarchal attitudes in society. She noted that the number of women occupying senior leadership positions in education was rather low. Were there any temporary special measures in place to increase that number? She was also concerned that, in some schools, gender stereotypes were reinforced by syllabuses, with girls being required to study cookery while boys were being taught woodwork, for example. She wondered whether measures had been taken to include peace education in the curricula, especially in the light of the conflict taking place in Ukraine, and, if so, what impact had the measures in question had. Noting that the dropout rate for Roma pupils remained high, she asked whether temporary special measures had been taken to ensure that such pupils remained in school until they completed their education. She would appreciate it if the delegation could provide gender-disaggregated statistics on the number of girls and boys who entered and graduated from military academies and the subjects in which they specialized. Information on the development and implementation of anti-harassment measures would also be appreciated.

7. **Ms. Verges** said that she was concerned that a substantial gender pay gap existed in both the public and private sectors, that women were prohibited from working in certain sectors, that discrimination adversely affected recruitment, particularly in relation to the army and other branches of the military, that women's social rights were frequently violated and that women had difficulty obtaining financing for business ventures. She would welcome information on any measures taken to promote women's self-employment. She wished to know, in particular, what was being done to make financing more readily available to women who wished to become self-employed and what vocational training schemes were available to women who wished to enter the labour market, particularly the private sector. The Committee would welcome further information on the steps being taken to tackle sexual harassment in the workplace and to make women more aware of their rights under the current employment law. Lastly, she encouraged the Government to produce more disaggregated statistics and key indicators on employment in order to facilitate the implementation of reforms in that area.

8. **Ms. Patten** said that she welcomed the country's anti-discrimination and employment laws and was pleased to note that the Constitution contained a specific provision that made it possible for women to combine work and motherhood. She asked whether temporary special measures had been taken to tackle the problem of discrimination against women in the labour market, to address the fact that women were underrepresented in the workforce, to provide economic incentives to women in both formal and informal employment, to improve inadequate employment regulations, to tackle corruption in the civil service, to make good the lack of a comprehensive State policy on employment, to combat discriminatory practices in recruitment and promotion and to build the capacity of the labour inspectorate. She wondered what efforts were being made to repeal discriminatory legislation that prohibited women from working in a number of professions. Lastly, she would like to know what measures were being taken to address the significant gender pay gap and the problem of gender-based occupational segregation in the labour market, which made it difficult for women to enter highly paid sectors.

9. **Ms. Chalal** said that the Committee welcomed the progress made by the State party under the "Reproductive Health of the Nation" programme. However, she was concerned by the prevalence of HIV/AIDS, which constituted a very serious public health problem. Although infection rates among young persons had fallen, they continued to increase among certain groups, including intravenous drug users, sex workers and their partners. What steps were being taken to tackle the epidemic under the State-wide social programme for countering HIV infection and AIDS for the period 2014-2018?

10. Noting that the Government had undertaken to ensure that 90 per cent of persons living with HIV/AIDS would have access to antiretroviral drugs by 2018, she asked what percentage of persons who were HIV-positive currently had access to such drugs. She wished to know what action had been taken to reduce the stigmatization attached to HIV/AIDS and discrimination on the part of health-care workers against women and sexual minorities living with HIV/AIDS.

11. In view of the fact that breast cancer was a leading cause of death among women, the Committee would welcome information on the impact of the national cancer control programme for the period up to 2016. It would also appreciate hearing about any follow-up strategies planned by the public health authorities to reduce breast cancer rates. The Committee also wished to know whether studies on breast cancer had been carried out and whether any counselling services were provided.

12. She would be interested to hear more about women drug users and their access to health services, particularly in the area of sexual and reproductive health. It would also be helpful to know what steps were being taken to ensure access to reproductive health-care services for internally displaced women and women living in areas that were not controlled

by the Government. She would be grateful to have an account of the steps being taken to adapt the health system to modern-day requirements and to ensure that all citizens had fair and equal access to health services. She wondered whether the State party intended to increase the proportion of the gross domestic product allocated to health services. It would also be interesting to learn whether mobile units were available to provide emergency primary care in conflict zones.

13. **Ms. Malakhova** (Ukraine) said that Ukraine had a nationwide electronic data system to measure the school attendance and dropout rates of children, including Roma children, at all levels of the education system. If any child dropped out of the system, the authorities would contact his or her parents to ensure that the situation was rectified. According to the data available, only a small percentage of children failed to complete secondary education. Those who dropped out of the system usually did so as a result of health problems and tended to continue their education at home.

14. Turning to the question raised concerning standardization of the curricula concerning gender issues, she said that, although the Higher Education Act granted a significant degree of autonomy to higher education institutions, including over the courses of study offered, their curricula were coordinated by the Ministry of Education and Science, which had a working group on gender equality tasked with developing anti-discrimination measures. Despite the efforts of the working group, however, few higher education institutions offered courses on gender equality or courses with a strong gender focus.

15. Nevertheless, the curricula of kindergartens, primary schools and secondary schools were subject to a gender analysis that took feedback from various voluntary organizations into account. In addition, a certification programme had been established in order to check for, and eliminate, content in textbooks and classroom materials that perpetuated discriminatory attitudes and stereotypes. The results of that programme would be taken into account by school textbook publishers. The Government was working on a new educational policy framework intended to ensure that gender-based and other types of discrimination were eliminated from the education system. Pilot schemes had been run in a number of schools to analyse the situation and make recommendations on both the content of the curricula and the quality of teaching. The physical infrastructure of the schools had also been assessed to ensure that there were no posters or similar materials that might be intentionally or unintentionally promoting gender-based discrimination.

16. As to the steps taken to promote the employment of women in the private sector, in schools, boys and girls had access to computers to research various professions and identify where there was demand and which subjects they needed to study in order to enter a particular profession. The aim was to eliminate the stereotypes that certain jobs were for girls and others were for boys. Employment centres offered training and retraining programmes for younger and older workers, including in computer skills, which were particularly beneficial for women in rural areas, who found it most difficult to find a well-paid job. School curricula were being reviewed to take into account the disability perspective. An ambitious programme had been set up in the Zaporizhzhya area, with the assistance of a private fund, to make all the schools in the region as inclusive as possible. It was hoped that the programme would be extended to other regions.

17. Turning to the issue of occupational segregation, she said that, unfortunately, some professions were still not considered to be open to women in Ukraine. One reason might be linguistic. Some positions, in the military or the banking sector, for example, continued to have gender-specific job titles. It was therefore necessary to review the language that was used to ensure that it was gender-neutral and non-discriminatory. The Ministry of Education, together with various academic institutions and NGOs dealing with gender-related issues, had started to compile a gender-neutral dictionary of the Ukrainian language, which it hoped would help remedy the situation. With respect to the question raised

concerning peace education, under the new Education Act, teachers were receiving further training to ensure that children were taught and able to speak about peace and non-violence.

18. **Ms. Semeniuk** (Ukraine) said that her Government attached great importance to educating the military on children in armed conflict, gender and international humanitarian law, and such training had been provided with the support of the International Committee of the Red Cross in the past. Systematic training was now provided to all officers and soldiers on those topics, and a memorandum had been signed with the organization Global Rights to run such courses. Educational activities were also undertaken with children in affected areas on what to do if they came across explosive devices. With the support of UN-Women and other international organizations, several publications had been issued on the gender perspective.

19. **Ms. Syvak** (Ukraine) said that the national health care system was undergoing reforms and additional funding had been secured for that purpose. An agreement had been reached for the Global Fund to Fight AIDS, Tuberculosis and Malaria to remain in the country for an additional three years, by which time 100 per cent coverage would have been achieved for patients with HIV/AIDS. There were plans to train primary-care doctors on how to treat such patients. Twelve regional perinatal centres had been opened and two more were under construction. The abortion rate had dropped considerably over the past four years, but high rates remained a problem. Concerning the question raised about the stigma attached to HIV-positive persons, gynaecologists and primary-care doctors were currently being trained on the proper treatment of such patients. Training was also given to help teach girls to prevent pregnancy and sexually transmitted infections, and sexual health was a part of the school curriculum. Reproductive health drugs were provided free of charge by the State, including in cases of women with diseases other than reproductive system diseases.

20. **Ms. Bohdanova** (Ukraine) said that statistics on employment would be provided in writing.

21. **Ms. Ameline** asked what was being done to promote the employment of internally displaced persons and whether their children had access to school.

22. **Ms. Chalal**, recalling the 2015 recommendations of the Committee on the Rights of Persons with Disabilities, asked whether the State party had any plans to abolish the practice of forced sterilization of persons with disabilities and to provide legal remedies and reparations to victims.

23. **Ms. Verges** said that she would welcome information on steps being taken to close the gender pay gap and to ensure women's access to credit.

24. **Ms. Malakhova** said that the children of internally displaced persons received assistance from NGOs to ensure access to education, regardless of whether they had identity documents or not. Charities ran fund-raising campaigns to help internally displaced children access education. There were sometimes difficulties in obtaining a place at school, but the authorities generally reacted quickly. Children in areas not under the control of the Ukrainian authorities could nonetheless follow the Ukrainian curriculum via online distance education. Women facing financial difficulties could request assistance to send their children to school. Teachers always did their utmost to ensure that children received an education. Schools kept a close eye on internally displaced children and provided them with additional support where necessary. Efforts were being made to simplify procedures and allow schools and individuals to provide distance education, in compliance with Government guidelines and within the national curriculum.

25. **Ms. Syvak** (Ukraine), responding to the question raised concerning persons with disabilities, said that the national system of rehabilitation services was currently being reformed, and, in 2016, a number of new professions, such as physical therapy and

occupational therapy, had been introduced. Those professionals would now join social workers and other specialists on multidisciplinary teams that worked with patients to help them participate in society and prepare for employment.

26. **Ms. Malakhova** (Ukraine) said that it was true that there was a considerable gender pay gap, which was due to a number of objective factors but also to persistent stereotypes about traditional jobs for men and women. Consistent efforts were being made to improve the situation. For example, salaries in the female-dominated profession of teaching had recently been raised, which meant that many women had seen their incomes increase.

27. **Mr. Petukhov** (Ukraine) said that access to credit in the country was generally quite limited due to the economic crisis, and the problem was not necessarily based on gender, but on social status and origin. In cooperation with organizations such as the European Bank for Reconstruction and Development, a programme was being implemented to help internally displaced persons start new businesses, which would benefit women moving from the occupied territory, who would otherwise have little chance of obtaining credit from commercial banks.

28. **Ms. Fedorovych** (Ukraine) said that, in 2016, 127 women and 528 men had been registered as refugees. There were no special procedures for refugees' access to the labour market; they were subject to the same labour laws as everybody else. At the end of 2016, the gender pay gap had stood at more than 25 per cent. The possible reasons for the gap had been studied, with a particular focus on the areas where it was widest. Women were well represented in government jobs, although they tended to have lower pay levels than men in the same or similar jobs. Efforts were being made to encourage girls to enter better paid sectors, such as the information and communications technology (ICT) sector, which continued to employ many more men than women. Steps also needed to be taken to make it easier for women to combine work and family life, which was something that currently prevented many women from seeking and remaining in well-paid jobs. Crèches were sometimes provided in the workplace, as was the case in the Ukrainian parliament.

29. **Ms. Bohdanova** (Ukraine) said that there were rehabilitation centres at the regional and local levels, which provided career guidance and training for persons with disabilities.

30. **Ms. Ameline** said that the equitable distribution of social income and pensions, including to internally displaced persons, should be a priority. Noting that the State party had developed a poverty reduction strategy, she would welcome details of the measures in place specifically for women and the priorities set under the strategy. She wished to know what measures were being taken to ensure that women had real social and professional autonomy, such as the provision of childcare services, access to social services and credit, and support for education and setting up businesses. Recalling the close link between women's rights and sustainable development, she wished to stress the importance of ensuring that women were involved in efforts to help the country out of the current crisis.

31. **Ms. Arocha Domínguez** said that it was regrettable that the State party had provided virtually no information in relation to article 14 on rural women, merely stating that the main problems of rural women, described in the sixth and seventh periodic reports, had not fundamentally changed. The lack of updated official information made it difficult for the Committee to properly evaluate the situation of rural women in the country and how the Convention was being implemented in those areas, although, thankfully, information from alternative sources had been accessible. She drew the State party's attention to the Committee's recent general comment No. 34 on the rights of rural women, which should be taken into account when preparing the next report. Noting that the budget cuts made as a result of the country's economic crisis were having a disproportionate impact on rural areas, she said it would be useful to have details of any specific programmes for rural women, including single mothers, for example. She wished to know how the Government monitored

employment in the informal sector, in which the majority of women in rural areas worked, in the absence of official statistics. What protections were in place for women in the informal sector? The delegation might comment on steps taken to minimize the potential negative effects of major foreign investment projects, for instance in the mining and agricultural sectors, and the consequent influx of workers, on local communities. She wondered what was being done to foster the inclusion of minorities, such as sexual minorities and women with disabilities, in rural areas.

32. **Ms. Semeniuk** (Ukraine) said that the National Human Rights Strategy for the period up to 2020 covered a comprehensive range of topics, including discrimination in all spheres and the right to study and set up businesses. The Government was receiving support from NGOs to implement the strategy and would welcome any advice on the subject.

33. **Ms. Malakhova** (Ukraine) said that a strategy for including a gender component in the school curriculum, at both primary and secondary levels, was currently being finalized in the relevant ministries.

34. **Ms. Bohdanova** (Ukraine) said that more than half of all internally displaced persons were of pensionable age, and they did receive their pensions. According to the latest figures, some 21,000 internally displaced persons were now in employment. Efforts had been made in the past year to develop a mechanism for dealing with sexual harassment and discrimination in the workplace and provide assistance to victims. There was now a council of experts in the Ministry of Social Policy to handle allegations of gender-based discrimination. Gender equality was provided for in all collective bargaining agreements. Incentives were also offered to employers to encourage them to offer equal opportunities to men and women. A mechanism had also been established in the unions to monitor the situation and report any violations. There was a new indicator to capture the fact that housework went unpaid, and further research would be conducted in that area to help ensure that such work by women was taken into account when tackling the gender pay gap. Some 52 per cent of persons living in rural areas were women, or almost 7 million women. Women in rural areas did face considerable difficulties, mainly because of poor infrastructure. Nonetheless, many rural women were active community leaders. There was also a 2,000-strong association of women farmers. As part of the country's decentralization policy, work was under way on a strategy to improve conditions in rural communities, which, it was hoped, would benefit women in particular.

35. **Mr. Petukhov** (Ukraine) said that the mining industry in the State party was already very old and most of the sector was made up of State- or locally owned companies. There were no major multinational players in the industry. Many centres of extraction had been urbanized, and the people working in the industry were usually locals, so there was no influx of external workers. Most major investments were offshore, and there was therefore no impact on rural communities. Licensing agreements required investors to ensure that a proportion of revenue was invested in the communities where the minerals were extracted, and legislation had been adopted to that effect. It was for the local communities themselves to decide what the funds should be invested in.

36. **Ms. Fedorovych** (Ukraine) said that, by law, internally displaced persons were entitled to financial assistance from State employment centres, which were present in every major town. They were also entitled to State medical assistance. Employers received financial incentives from the State for hiring internally displaced persons, the amount of which depended on the region. It was not expected that internally displaced persons would experience long-term unemployment. Under the law on farms and agricultural development, workers were to have their employment recorded in the workbook they carried and be provided with social insurance cover. Women were entitled to three years of insurance payments by the State. Efforts were being made to provide a full range of social services in

"one-stop" centres. Two such offices had already been set up and it was hoped that they would also be established in other cities.

37. **Ms. Arocha Domínguez** said that it would be important to continue to monitor the situation in the mining and agrifood industries closely.

Articles 15 and 16

38. **Ms. Halperin-Kaddari**, referring to article 16 of the Convention, said that she had studied the English translation of the Family Code with interest. Congratulating the State party on having increased the minimum age of marriage for girls to 18, she said that the challenge now would be to ensure that the provision was enforced. She would appreciate details of programmes to prevent underage marriage, which she understood was still a problem in some communities, as well as the exceptions in which marriage was permitted between the ages of 16 and 18. Noting that de facto unions were not recognized under the Family Code, she wondered what safeguards were in place for women and their property rights in such relationships. She would be interested to know whether the State party guaranteed the maternal rights of LBGTI women, for example recognizing the ties between a non-biological mother and her child in the event of the partner's — the biological mother's — death. She wondered whether there were any plans to raise awareness among judges of the unsuitability of mediation as a remedy in domestic violence cases and whether domestic violence was taken into account by courts when determining child custody issues. Recalling the Committee's earlier recommendation concerning the definition of marital property, she commended the State party on its regulations on marital property, which she considered very balanced and advanced in the light of the Committee's general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution. She asked whether any research had been conducted on the application of those provisions, in particular the one on spousal maintenance following dissolution of marriage, and why there was a limit of three years for payment of post-divorce maintenance.

39. **Ms. Fedorovych** (Ukraine) said that, under the bill on domestic violence that was currently before the parliament, mediation would be prohibited in cases of domestic violence. In advance of the law being passed, training programmes for judges and lawyers and university courses were already being developed. Police officers, social workers and health-care workers would also receive training on domestic violence.

40. **Mr. Petukhov** (Ukraine) said that, under the Family Code, the court took into account the interests of parties before granting permission to persons aged between 16 and 18 who wished to marry; the most commonly cited reason for requesting an exception was pregnancy. Civil registrars refused to register marriages if the parties did not have identity documents attesting that they were of age. Informal underage marriages were not widespread. The property rights of members of de facto unions were the same as those of married couples and were covered by article 74 of the Family Code, which provided that any property acquired during their cohabitation belonged to them as joint property unless a written agreement between them provided otherwise. Under Ukrainian law, marriage was defined as the union of a man and a woman, so all provisions applied only to heterosexual married couples. To date, there were no provisions recognizing the ties between same-sex couples, but the Government had committed to producing a bill in 2017 on civil partnership, which would be applicable to all couples. With regard to maternal rights, single mothers and those not officially married received additional State protection and benefits.

41. **Ms. Bohdanova** (Ukraine) said that the Convention on the Elimination of All Forms of Discrimination against Women had been invoked in 155 court cases in 2016, which was a positive step forward. Although the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) had not yet been ratified, legal professionals were already being trained on the instrument in the

expectation that it would be. The problem of underage marriage arose primarily in the Roma community; mediation and awareness-raising campaigns were being used to tackle the issue, with a focus on girls, who were the most likely to drop out of school as a result of early marriage. Mediators would be working together with social services in three regions in 2017; initial results had been positive.

42. **Ms. Halperin-Kaddari** said that efforts should certainly be strengthened to prevent early marriage. She asked whether unmarried couples received any social benefits or tax breaks that might serve as safeguards to help women in such relationships.

43. **Mr. Petukhov** (Ukraine) said that there were no benefits attached to de facto unions other than the aforementioned marital property rights.

44. **Ms. Federovych** (Ukraine) said he wished to thank the Committee for the enriching dialogue. The Committee's constructive comments would contribute to continued efforts to combat discrimination against women in her country. The Committee's concluding observations would be shared with the relevant authorities and civil society and the necessary action taken to implement them.

45. **The Chair** said she was grateful to the delegation for the constructive dialogue. She encouraged the State party to take all necessary measures to implement the Committee's recommendations.

The meeting rose at 4.50 p.m.